

PROPOSED

HOUSE OF REPRESENTATIVES AMENDMENTS TO H.B. 2083

(Reference to printed bill)

1 Strike everything after the enacting clause and insert:

2 "Section 1. Section 28-3001, Arizona Revised Statutes, is amended to  
3 read:

4 28-3001. Definitions

5 In this chapter, unless the context otherwise requires:

6 1. "Cancellation" means the annulment or termination of a driver  
7 license because of an error or defect or because the licensee is no longer  
8 entitled to the license.

9 2. "Commercial driver license" means a license that is issued to an  
10 individual and that authorizes the individual to operate a class of  
11 commercial motor vehicles.

12 3. "Commercial motor vehicle" means a motor vehicle or combination of  
13 motor vehicles used to transport passengers or property if the motor vehicle  
14 either:

15 (a) Has a gross combined weight rating of twenty-six thousand one or  
16 more pounds inclusive of a towed unit with a gross vehicle weight rating of  
17 more than ten thousand pounds.

18 (b) Has a gross vehicle weight rating of twenty-six thousand one or  
19 more pounds.

20 (c) Is a school bus.

21 (d) Is a bus.

22 (e) Is used in the transportation of materials found to be hazardous  
23 for the purposes of the hazardous materials transportation act (49 United  
24 States Code sections 5101 through 5127) and is required to be placarded under  
25 49 Code of Federal Regulations section 172.504, as adopted by the department  
26 pursuant to chapter 14 of this title.

27 4. "Conviction" has the same meaning prescribed in section 28-101 and  
28 also means a final conviction or judgment, including an order of a juvenile

1 court finding that a juvenile has violated a provision of this title or has  
2 committed a delinquent act that if committed by an adult constitutes any of  
3 the following:

4 (a) Criminal damage to property pursuant to section 13-1602,  
5 subsection A, paragraph 1.

6 (b) A felony offense in the commission of which a motor vehicle was  
7 used, including theft of a motor vehicle pursuant to section 13-1802,  
8 unlawful use of means of transportation pursuant to section 13-1803 or theft  
9 of means of transportation pursuant to section 13-1814.

10 (c) A forfeiture of bail or collateral deposited to secure a  
11 defendant's appearance in court that has not been vacated.

12 5. "Disqualification" means a prohibition from obtaining a commercial  
13 driver license or driving a commercial motor vehicle.

14 6. "Employer" means a person, including the United States, a state or  
15 a political subdivision of a state, that owns or leases a commercial motor  
16 vehicle or that assigns a person to operate a commercial motor vehicle.

17 7. "Endorsement" means an authorization that is added to an  
18 individual's driver license and that is required to permit the individual to  
19 operate certain types of vehicles.

20 8. "ENHANCED DRIVER LICENSE" MEANS A DRIVER LICENSE THAT IS ISSUED TO  
21 AN INDIVIDUAL WHO IS A CITIZEN OF THE UNITED STATES BY MEANS OF BIRTH OR  
22 NATURALIZATION AND WHO HAS MET IDENTITY REQUIREMENTS, THAT MAY CONTAIN A  
23 RADIO FREQUENCY IDENTIFICATION CHIP OR SIMILAR TECHNOLOGY AND THAT AUTHORIZES  
24 THE INDIVIDUAL TO CROSS ANY UNITED STATES LAND OR SEA BORDER IN THE WESTERN  
25 HEMISPHERE.

26 9. "ENHANCED IDENTIFICATION LICENSE" MEANS A NONOPERATING  
27 IDENTIFICATION LICENSE THAT IS ISSUED TO AN INDIVIDUAL WHO IS A CITIZEN OF  
28 THE UNITED STATES BY MEANS OF BIRTH OR NATURALIZATION AND WHO HAS MET  
29 IDENTITY REQUIREMENTS, THAT MAY CONTAIN A RADIO FREQUENCY IDENTIFICATION CHIP  
30 OR SIMILAR TECHNOLOGY AND THAT AUTHORIZES THE INDIVIDUAL TO CROSS ANY UNITED  
31 STATES LAND OR SEA BORDER IN THE WESTERN HEMISPHERE.

32 ~~9.~~ 10. "Foreign" means outside the United States.

1           ~~9.~~ 11. "Gross vehicle weight rating" means the weight that is  
2 assigned by the vehicle manufacturer to a vehicle and that represents the  
3 maximum recommended total weight including the vehicle and the load for the  
4 vehicle.

5           ~~10.~~ 12. "Judgment" means a final judgment and any of the following:

6           (a) The finding by a court that an individual is responsible for a  
7 civil traffic violation.

8           (b) An individual's admission of responsibility for a civil traffic  
9 violation.

10           (c) The voluntary or involuntary forfeiture of deposit in connection  
11 with a civil traffic violation.

12           (d) A default judgment entered by a court pursuant to section 28-1596.

13           ~~11.~~ 13. "License class" means, for the purpose of determining the  
14 appropriate class of driver license required for the type of motor vehicle or  
15 vehicle combination a driver intends to operate or is operating, the class of  
16 driver license prescribed in section 28-3101.

17           ~~12.~~ 14. "Nonresident commercial driver license" means a commercial  
18 driver license issued to an individual domiciled in a foreign country.

19           ~~13.~~ 15. "Original applicant" means any of the following:

20           (a) An applicant who has never been licensed or cannot provide  
21 evidence of licensing.

22           (b) An applicant who is applying for a higher class of driver license  
23 than the license currently held by the applicant.

24           (c) An applicant who has a license from a foreign country.

25           ~~14.~~ 16. "Revocation" means that the driver license and driver's  
26 privilege to drive a motor vehicle on the public highways of this state are  
27 terminated and shall not be renewed or restored, except that an application  
28 for a new license may be presented and acted on by the department after one  
29 year from the date of revocation.

30           ~~15.~~ 17. "State of domicile" means the state or jurisdiction where a  
31 person has the person's true, fixed and permanent home and principal

1 residence and to which the person has the intention of returning after an  
2 absence.

3 ~~16.~~ 18. "Suspension" means that the driver license and driver's  
4 privilege to drive a motor vehicle on the public highways of this state are  
5 temporarily withdrawn during the period of the suspension and until  
6 application for reinstatement is made.

7 ~~17.~~ 19. "Vehicle combination" means a motor vehicle and a vehicle in  
8 excess of ten thousand pounds gross vehicle weight that it tows, if the  
9 combined gross vehicle weight rating is more than twenty-six thousand pounds.

10 Sec. 2. Section 28-3002, Arizona Revised Statutes, is amended to read:

11 28-3002. Fees; driver licenses; disposition

12 A. The following fees are required:

13 1. For each original or initial application or renewal application, if  
14 a written examination is required, for the following:

- 15 (a) Class A STANDARD driver license, twenty-five dollars.
- 16 (b) Class B STANDARD driver license, twenty-five dollars.
- 17 (c) Class C STANDARD driver license, twelve dollars fifty cents.
- 18 (d) Class D STANDARD driver license issued pursuant to section  
19 28-3171, ten dollars.
- 20 (e) Class M STANDARD driver license issued pursuant to section  
21 28-3171, ten dollars.

22 (f) CLASS A, B OR C ENHANCED DRIVER LICENSE, \_\_\_\_\_ DOLLARS.

23 (g) CLASS D, G OR MENHANCED DRIVER LICENSE, \_\_\_\_\_ DOLLARS.

24 2. Except as provided in paragraph 1, for each original, renewal or  
25 reinstatement application for a class D, G or M license:

26 Age	Fee
27 50 or older	\$10.00
28 45-49	\$15.00
29 40-44	\$20.00
30 39 or younger	\$25.00

1           3. For each original or initial application or renewal examination, if  
2 a written application is required, for the following endorsements to a driver  
3 license:

- 4           (a) Bus endorsement, ten dollars.
- 5           (b) Hazardous materials endorsement, ten dollars.
- 6           (c) Tank vehicle endorsement, ten dollars.
- 7           (d) Double-triple trailer endorsement, ten dollars.
- 8           (e) Motorcycle endorsement, seven dollars.

9           4. For taking each driving test for a:

- 10          (a) Class A driver license, twenty-five dollars.
- 11          (b) Class B driver license, twenty-five dollars.
- 12          (c) Class C driver license, twelve dollars fifty cents.
- 13          (d) Bus endorsement, five dollars.

14          5. For each application for an instruction permit under:

- 15          (a) Section 28-3154 or 28-3156, seven dollars.
- 16          (b) Section 28-3155, three dollars.
- 17          (c) Section 28-3225, class A, twenty-five dollars.
- 18          (d) Section 28-3225, class B, twenty-five dollars.
- 19          (e) Section 28-3225, class C, twelve dollars fifty cents.

20          6. For each renewal application, if a written examination is not  
21 required, for a:

- 22          (a) Class A driver license and any endorsement, other than a hazardous  
23 materials endorsement, to the license, fifteen dollars.
- 24          (b) Class B driver license and any endorsement, other than a hazardous  
25 materials endorsement, to the license, fifteen dollars.
- 26          (c) Class C driver license and any endorsement, other than a hazardous  
27 materials endorsement, to the license, ten dollars.

28          7. For each application for a duplicate of a **STANDARD** driver license,  
29 four dollars.

30          8. For each application for a duplicate of an instruction permit, two  
31 dollars.

1           9. In addition to the fees prescribed in paragraph 2 and except as  
2 provided in paragraph 11:

3           (a) For reinstatement of driving privileges after suspension or  
4 disqualification, ten dollars.

5           (b) For reinstatement of driving privileges after revocation, twenty  
6 dollars.

7           10. For each application for an extension by mail of a driver license,  
8 five dollars.

9           11. In addition to the fees prescribed in paragraph 2, for  
10 reinstatement of driving privileges that were suspended or denied pursuant to  
11 section 28-1385 after completion of the suspension or revocation, fifty  
12 dollars.

13           12. For vision screening tests of out-of-state drivers, five dollars.

14           13. For class D or M driver license skills tests for out-of-state  
15 drivers, fifteen dollars.

16           14. FOR EACH APPLICATION FOR A DUPLICATE OF AN ENHANCED DRIVER LICENSE,  
17 NINETEEN DOLLARS.

18           B. Except as otherwise provided by statute, the director shall  
19 immediately deposit, pursuant to sections 35-146 and 35-147, fees collected  
20 under this section in the Arizona highway user revenue fund.

21           Sec. 3. Section 28-3003, Arizona Revised Statutes, is amended to read:

22           28-3003. Driver license fees: deposit

23           A. The department may receive and deposit in the state highway fund  
24 established by section 28-6991 monies collected by the director pursuant to  
25 section 28-3002, paragraph 1, subdivisions (a), (b), ~~and~~ (c) AND (f),  
26 paragraph 3, subdivisions (a), (b), (c) and (d), paragraph 4, subdivisions  
27 (a), (b) and (c), paragraph 5, subdivisions (c), (d) and (e) and paragraph 6.

28           B. Subject to legislative appropriation, the department may use these  
29 monies in the state highway fund to carry out the duties imposed by this  
30 title for the licensing of drivers and to cover the administrative costs of  
31 driving tests for commercial motor vehicle operators.

1           Section 4. Title 28, chapter 8, article 1, Arizona Revised Statutes,  
2 is amended by adding section 28-3007, to read:

3           28-3007. Enhanced driver license and nonoperating  
4                                   identification license

5           A. THE DEPARTMENT MAY ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH  
6 ANY FEDERAL AGENCY FOR THE PURPOSES OF FACILITATING BORDER CROSSING OF ANY  
7 UNITED STATES LAND OR SEA BORDER IN THE WESTERN HEMISPHERE.

8           B. THE DEPARTMENT MAY ESTABLISH AND ISSUE AN ENHANCED DRIVER LICENSE  
9 OR ENHANCED NONOPERATING IDENTIFICATION LICENSE FOR THE PURPOSE OF BORDER  
10 CROSSING OF ANY UNITED STATES LAND OR SEA BORDER IN THE WESTERN HEMISPHERE TO  
11 AN APPLICANT WHO PROVIDES THE DEPARTMENT WITH PROOF OF UNITED STATES  
12 CITIZENSHIP AND IDENTITY. THE DEPARTMENT SHALL CONTINUE TO OFFER A STANDARD  
13 DRIVER LICENSE AND NONOPERATING IDENTIFICATION LICENSE AS PROVIDED BY THIS  
14 CHAPTER. THE DEPARTMENT MUST ALLOW EACH APPLICANT TO CHOOSE BETWEEN A  
15 STANDARD DRIVER LICENSE OR NONOPERATING IDENTIFICATION LICENSE OR AN ENHANCED  
16 DRIVER LICENSE OR NONOPERATING IDENTIFICATION LICENSE.

17           C. AN ENHANCED DRIVER LICENSE AND AN ENHANCED NONOPERATING  
18 IDENTIFICATION LICENSE SHALL INCLUDE REASONABLE SECURITY MEASURES TO PROTECT  
19 THE PRIVACY OF RESIDENTS OF THIS STATE, INCLUDING PROTECTION AGAINST  
20 UNAUTHORIZED DISCLOSURE OF DATA ABOUT RESIDENTS OF THIS STATE.

21           D. AN ENHANCED DRIVER LICENSE OR ENHANCED NONOPERATING IDENTIFICATION  
22 LICENSE MAY INCLUDE A RADIO FREQUENCY IDENTIFICATION CHIP OR SIMILAR  
23 TECHNOLOGY. THE DEPARTMENT SHALL ENSURE THAT THE TECHNOLOGY IS ENCRYPTED OR  
24 OTHERWISE SECURE FROM UNAUTHORIZED DATA ACCESS.

25           E. THE REQUIREMENTS OF THIS SECTION ARE IN ADDITION TO THE  
26 REQUIREMENTS OTHERWISE IMPOSED ON APPLICANTS FOR A DRIVER LICENSE OR  
27 NONOPERATING IDENTIFICATION LICENSE PURSUANT TO THIS CHAPTER. THE DEPARTMENT  
28 SHALL ADOPT RULES AS NECESSARY TO IMPLEMENT THIS SECTION. THE DEPARTMENT  
29 SHALL PERIODICALLY REVIEW TECHNOLOGICAL INNOVATIONS RELATED TO THE SECURITY  
30 OF THE ENHANCED DRIVER LICENSE AND ENHANCED NONOPERATING IDENTIFICATION  
31 LICENSE AND AMEND THE RULES RELATED TO ENHANCED DRIVER LICENSES AND ENHANCED

1 NONOPERATING IDENTIFICATION LICENSES AS THE DIRECTOR DEEMS NECESSARY TO  
2 PROTECT THE PRIVACY OF RESIDENTS OF THIS STATE.

3 F. THE DEPARTMENT MAY MAKE IMAGES ASSOCIATED WITH AN ENHANCED DRIVER  
4 LICENSE OR ENHANCED NONOPERATING IDENTIFICATION LICENSE AVAILABLE TO UNITED  
5 STATES CUSTOMS AND BORDER AGENTS FOR THE PURPOSES OF VERIFYING IDENTITY.

6 Sec. 5. Section 28-3101, Arizona Revised Statutes, is amended to read:  
7 28-3101. Driver license classes

8 A. Except as provided in subsections B and C of this section and  
9 section 28-3102, the following driver license classes are valid:

10 1. Class A. A class A license is valid for operating either of the  
11 following:

12 (a) A motor vehicle that tows a vehicle with a gross vehicle weight  
13 rating of more than ten thousand pounds if the combined gross vehicle weight  
14 rating is twenty-six thousand one or more pounds.

15 (b) A vehicle that requires a class B, C or D license.

16 2. Class B. A class B license is valid for operating any of the  
17 following:

18 (a) A single motor vehicle with a gross vehicle weight rating of  
19 twenty-six thousand one or more pounds.

20 (b) A motor vehicle with a gross vehicle weight rating of twenty-six  
21 thousand one or more pounds that tows a vehicle with a gross vehicle weight  
22 rating of ten thousand pounds or less.

23 (c) A vehicle that requires a class C or D license for operation.

24 3. Class C. A class C license is valid for operating any of the  
25 following:

26 (a) A single motor vehicle with a gross vehicle weight rating of  
27 twenty-six thousand pounds or less.

28 (b) A motor vehicle with a gross vehicle weight rating of twenty-six  
29 thousand pounds or less that tows a vehicle with a gross vehicle weight  
30 rating of ten thousand pounds or less.

31 (c) A motor vehicle with a gross vehicle weight rating of twenty-six  
32 thousand pounds or less that tows a vehicle with a gross vehicle weight

1 rating of more than ten thousand pounds, if the combined gross vehicle weight  
2 rating is less than twenty-six thousand one pounds.

3 (d) A vehicle that is required to be placarded for hazardous  
4 materials.

5 (e) A bus or school bus.

6 (f) A vehicle that requires a class D license for operation.

7 4. Class D. A class D license is valid for operating any of the  
8 following:

9 (a) A single motor vehicle with a gross vehicle weight rating of  
10 twenty-six thousand pounds or less.

11 (b) A motor vehicle with a gross vehicle weight rating of twenty-six  
12 thousand pounds or less that tows a vehicle with a gross vehicle weight  
13 rating of ten thousand pounds or less.

14 (c) A motor vehicle with a gross vehicle weight rating of twenty-six  
15 thousand pounds or less that tows a vehicle with a gross vehicle weight  
16 rating of more than ten thousand pounds if the combined gross vehicle weight  
17 rating is less than twenty-six thousand one pounds.

18 5. Class G. A class G license is valid for operating a single motor  
19 vehicle with a gross vehicle weight rating of twenty-six thousand pounds or  
20 less.

21 6. Class M. A class M license is valid for operating a motorcycle,  
22 motor driven cycle or moped. For the purpose of licensing a driver, the  
23 department may endorse a class M license classification on a valid class A,  
24 B, C, D or G license.

25 B. A class A, B, C, D or G license is not valid for operating a  
26 vehicle that requires a class M license or a vehicle that requires a special  
27 endorsement unless the proper endorsement appears on the license.

28 C. A commercial driver license is not required to operate a vehicle  
29 described in subsection A, paragraph 1, 2 or 3 of this section if the vehicle  
30 has been issued a historic vehicle license plate pursuant to section 28-2484  
31 and the department provides in the vehicle registration record both of the  
32 following:



1           E. A nonoperating identification license shall contain the photograph  
2 of the licensee. The department shall use a process in the issuance of  
3 nonoperating identification licenses that prohibits as nearly as possible the  
4 ability to superimpose a photograph on the license without ready detection.  
5 The department shall process nonoperating identification licenses and photo  
6 attachments in color.

7           F. On application, an applicant shall give the department satisfactory  
8 proof of the applicant's full legal name, date of birth, sex and residence  
9 address and that the applicant's presence in the United States is authorized  
10 under federal law. The application shall briefly describe the applicant,  
11 state whether the applicant has been licensed, and if so, the type of license  
12 issued, when and by what state or country and whether any such license is  
13 under suspension, revocation or cancellation. The application shall contain  
14 other identifying information required by the department.

15           G. The department may adopt and implement procedures to deny a  
16 nonoperating identification license to a person who has been deported. The  
17 department may adopt and implement procedures to reinstate a person's  
18 privilege to apply for a nonoperating identification license if the person's  
19 legal presence status is restored.

20           H. A nonoperating identification license issued by the department is  
21 solely for the use and convenience of the applicant for identification  
22 purposes.

23           I. The department shall adopt rules and establish fees for issuance of  
24 a STANDARD nonoperating identification license, except that the department  
25 shall not require an examination.

26           J. FOR EACH ORIGINAL OR INITIAL APPLICATION OR RENEWAL APPLICATION FOR  
27 AN ENHANCED IDENTIFICATION LICENSE, THE DEPARTMENT SHALL CHARGE A FEE OF  
28 TWENTY-SEVEN DOLLARS. FOR EACH APPLICATION FOR A DUPLICATE OF AN ENHANCED  
29 IDENTIFICATION LICENSE, THE DEPARTMENT SHALL CHARGE A FEE OF NINETEEN  
30 DOLLARS. EACH ORIGINAL OR RENEWAL OF AN ENHANCED NONOPERATING IDENTIFICATION  
31 LICENSE IS VALID FOR NOT MORE THAN FIVE YEARS.



1 applicant is sixty-four years of age or older, unless medical restrictions  
2 require a shorter expiration period.

3 ~~2.~~ 3. On presentation of satisfactory proof of qualification, the  
4 director may issue a class D, G or M license or permit for a period of up to  
5 five years to:

6 (a) A person who is an out-of-state student or who is the spouse of an  
7 out-of-state student. For the purposes of this subdivision, "out-of-state  
8 student" has the same meaning prescribed in section 28-2001.

9 (b) An immediate family member of any active duty military personnel  
10 temporarily stationed in this state.

11 (c) Any other person for whom the director determines other  
12 circumstances justify the issuance.

13 C. An applicant shall apply for renewal of a driver license before the  
14 expiration of a current license. The department may require an examination  
15 of a renewal applicant for a class D, G or M license as required of an  
16 original applicant.

17 D. A veteran, as defined in section 41-601, whose driver license  
18 expires is not required to renew the veteran's driver license for six months  
19 from the date of the veteran's discharge from military service.

20 E. The department may extend the expiration date of a class D or M  
21 license by mail for a resident if the applicant is not in this state at the  
22 time the license expires and will not be in this state for at least thirty  
23 consecutive days after the expiration of the driver license. On payment by  
24 the applicant of the fee prescribed in section 28-3002, the department shall  
25 issue a certificate of extension that is valid only if accompanied by the  
26 applicant's previous license. An applicant for extension of a license by  
27 mail shall comply with the following:

- 1           1. The application requirements of section 28-3158.
- 2           2. The licensing requirements of section 28-3153.
- 3           3. Medical requirements applicable to all license applicants, except
- 4 that the applicant is not required to obtain an eyesight examination.

5           Sec. 8. Requirements for enactment; two-thirds vote

6           Pursuant to article IX, section 22, Constitution of Arizona, this act  
7 is effective only on the affirmative vote of at least two-thirds of the  
8 members of each house of the legislature and is effective immediately on the  
9 signature of the governor or, if the governor vetoes this act, on the  
10 subsequent affirmative vote of at least three-fourths of the members of each  
11 house of the legislature."

12 Amend title to conform

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